

Those receiving these minutes are those I received email addresses from at the meetings, or those who have a direct involvement in the federal recognition process. If anything in this offends anyone, there is not much I can say, but I am willing to discuss. My contacts are here:

Cedric Sunray
1917 Pelham Circle
Norman, OK 73071
helphaskell@hotmail.com
405-310-2548

FEDERAL RECOGNITION MEETINGS IN REVIEW

Tuesday, August 6th, 2013

Morning Session 9:00am

The room filled up at the Tunica-Biloxi Paragon Resort by 9:00am. After a brief introduction and overview of regulation changes which included words such as “integrity” and “transparency”, Larry Roberts explained to the crowd that he would be going into the hallway if any members of the federal tribes in attendance objected to the “non-federal” tribes being here. He stated that the federal tribal members could come out there and let him know. He also explained that at the four previous national meetings, the federal tribes did not object to the “non-federal” tribes being there. Within minutes he came back into the room and told those gathered that a federal tribe/tribal member had asked that the others be removed from the room. (No surprise there.) Most of the “non-federal” tribal members left voluntarily at that time. I yelled out across the room that I would record/write down everything during the now “federal only” meeting. One tribe (from Marksville, Louisiana) and a gentleman describing himself as a member of the Comanche Tribe of Texas stayed. Larry Roberts questioned them and the leader of the tribe from Marksville, Louisiana said that they were a federal tribe and had been recognized along with the federally-recognized Tunica-Biloxi in the early 1980s. They attempted to provide documentation to Larry Roberts which substantiated this, but Larry Roberts asked if they could show documents that they were on the list of federal tribes. They protested, but ended up leaving. Then Larry Roberts questioned the individual from the Comanche Tribe of Texas. After some confusion was cleared up, it turned out that the gentleman believed that since his tribe had submitted a letter of intent to petition to Lee Fleming, that he should be allowed to stay. Larry Roberts again asked if his tribe was on the list of federal tribes. The gentleman then exited the room. I (Cedric Sunray) sarcastically suggested that maybe we should check CDIBs of the remainder of those staying who said they were “representing federal tribes”. One individual was definitely not Indian. She was a white lawyer for the Jena Band of Choctaw Indians. Why she was allowed to stay was perplexing, but I would guess that Cheryl Smith (Jena Band leader) would have argued that she was there in an official capacity for the tribe.

The meeting then started. Members of the Chitimacha, Jena Choctaw, Eastern Shawnee (Oklahoma), and Eastern Band of Cherokee Indians were present. Also, the Eastern Band of Cherokee Indians had their lobbyist from IETAN Consulting Wilson Pipestem with them. Wilson is of mixed tribal heritage from Oklahoma. Wilson has been paid large sums for years by the Eastern Band of Cherokee Indians to block Lumbee recognition efforts in Congress. I was also there (Cedric Sunray; MOWA Band of Choctaw Indians). The government reps were: Larry Roberts; Deputy Assistant Secretary-Indian Affairs (Oneida Tribe of Wisconsin), Katie Chinn (Wyandotte Nation of Oklahoma), and Liz Appel.

Immediately those in attendance spoke of their opposition to “state” and “non-fed” groups. When asked what percentage of a petitioning group should descend from a historic tribe, the EBCI rep stated 100%. This is coming from a tribe who has recently talked of disenrolling members of its own tribe and who are considering DNA testing of tribal members. The list of issues this could cause are so numerous that I will just proceed.

The Eastern Shawnee tribal member who explained she was there representing her Chief (and who was as racially white in phenotype as any typical white American citizen; hey I look white too!) questioned what the regs meant by states? She felt that her tribe, who she says inhabited 26 different U.S. states, should be able to contest any group claiming Shawnee ancestry in any of these states.

My immediate comment was why would federal gaming tribes in regional areas be able to fight against petitioning tribes in their areas? It is a supreme issue of bias. No one offered a rebuttal.

A rep from the EBCI (Perry Shell; council member) then talked about how he flew to this meeting seated next to a guy who claimed to be Cherokee. He went on and on about how this always happens. For those of us who live in Indian Country, the cliché of the “Cherokee grandmother” is now only as old hat as the cliché of someone attempting to make themselves sound more Indian by belittling the story of those who claim a “Cherokee grandmother”. He stated that nothing should be changed about the recognition system. He said that 1934 as a new date is not good enough.

Wilson Pipestem (EBCI lobbyist) then went into his tired “We want to thank you so much Mr. and Mrs. BIA reps for dedicating your time to such an important issue, blah blah, blah...” Once he stopped kissing everyone’s backside in the room he then stated that he agrees that some things should be changed, but that 1934 was not a good date and should go farther back. An EBCI rep stated that they should prove to the 1600s or something that nonsensical. Both Wilson Pipestem and Perry Shell both kept using terms such as “authenticity”. Perry explained that speaking the Cherokee language and living the culture were examples of “authenticity”.

I then asked those gathered with EBCI if they thought the 1/1,024 by blood Cherokee Nation of Oklahoma citizen I sat next to at Haskell was the type of “authenticity” they

were speaking about? The only response was from the lone Cherokee phenotype rep there who stated in a “you don’t know what you are talking about” type of voice, “We are not from the Cherokee Nation of Oklahoma”, as if to suggest that I did not know the difference. What a joke. I asked again, and got no response. Not one of them would even look at the mountains of proof offered up on the display boards. I then explained to EBCI that I used to be the Cherokee language teacher at both Tahlequah High School and Rogers State University. Cherokee language was not brought up by them again. Go figure. If you want to invoke your language as a weapon to discredit others, than you better be able to speak it!

Earl Barbry’s funeral was brought up and his great leadership by federal tribal members. I asked them to all read the packet our tribe handed out in which was a letter from Chairman Barbry on behalf of his tribe supporting our federal recognition. I guess the man was only selectively a great leader and man of common sense in their eyes. He was great when he was convenient to them. That is shameful.

The Eastern Shawnee then went back to the fed tribes being overseers in the process over petitioning “state” groups. I just laughed. She had somehow now grouped state tribes with any group of claimants, while conveniently forgetting to tell everyone that her federal tribe is primarily of white phenotype. That is not saying they are not an Indian tribe, they are, but it is saying that they have no business attempting to define who is and who is not Indian. The Eastern Shawnee Tribe does not have a blood quantum requirement for enrollment. They base their tribal enrollment on lineal descent. The Indian identifiable Shawnee tribe in Oklahoma is the Absentee Shawnee Tribe of Oklahoma based in Shawnee and Little Axe, not the Eastern Shawnee (there are three federally-recognized Shawnee tribes in Oklahoma). The Eastern Shawnee are referred to as “white Indians” by most blood Indians in Oklahoma. That is the difference between legal reality and social reality. They are two very different realities.

Cheryl Smith (Jena Band of Choctaw Indians long time tribal leader) was upset with me and stated that just because I can speak my tribal language doesn’t mean that I should have this tone. Let me explain here that Cheryl is very attached to the long, difficult time it took for her tribe to receive federal recognition. She forgets at times that our tribe has fought even longer and that our petitions were almost identical, as are our communities in many ways including language retention, etc. She went on to say that she didn’t like my tone, and inferred I was not old enough to make the statements I make, etc. She did however say that she realized our people are Choctaw, but that we didn’t meet the 7 criteria. We did an entire narrative draft on how what was accepted for Jena was rejected for us. Almost exact facts were viewed in two opposite ways by OFA staff. She then explained that as much as it pained her to say it, as she has friends amongst the Houma, she believed that her tribe (Jena Band) would be the last tribe to receive federal recognition in Louisiana. I don’t have anything against Cheryl, I am just a little confused by her statements/actions in relation to our tribe. Then the Jena Choctaw tribal attorney spoke and said that she has heard many stories about Jena’s struggle for recognition which they received in 1995 (the attorney did not begin working for the tribe until 2002 I believe). I already met her in the past at the Jena Choctaw complex. And yes, I already

know Cheryl from previous meetings in both Louisiana and Oklahoma, as well as Wilson Pipestem, whose brother is a friend of mine. Indian Country is small and so people need to be accountable.

Then an EBCI rep basically reiterated that there are hundreds claiming Cherokee, etc. As if we all don't already realize this.

Cheryl Smith then said through tears that this is an emotional issue for us all and that we need to be brothers and sisters and act civilized to one another. She again mentioned her dislike for my tone. It seems that one's tone is bad only when they are one whose people are being disrespected. It is like asking the abused to be nice to the abuser.

I told them that they were attempting to lump historic "non-federal" tribes with all other petitioning groups and that historic "non-fed" tribes don't want false groups being recognized either.

The Chitimacha Chairman then said that people are now coming from all over claiming to be Chitimacha, but that he realized the process needed changing.

I then asked the federal tribal members gathered if they felt the numerous presentation boards in the back complete with Indian boarding school photos, yearbook pictures, grade reports, etc. were representative of Indian people. I asked them if the very historic "non-fed" tribal members in those pictures next to their fed tribal members were Indians? I asked if those who attended the schools when the requirement was a minimum of ¼ Indian blood were Indians? Everyone was keeping silent and then Larry Roberts said that I was supposed to be speaking to them (Indian Affairs reps) and not to the fed tribal members directly. I then asked him directly and he would not provide an answer. It seems that even in the face of complete and absolute proof, not one person in the entire room could be honest. It was a "pleading the 5th" moment which every one of them should feel thoroughly ashamed of. I explained that their inability to engage in ethical and moral ways was unfortunate.

Wilson Pipestem then stated that we cannot engage in a government-to-government way in this environment due to me (though he didn't say my name; remember that Wilson is a professional lobbyist). He asked if the meeting could be adjourned for Earl Barbry's funeral (the funeral was not to begin for over an hour at this point). Invoking someone's name in this way as an excuse to dodge criticism is an extremely low character trait.

I told them I wouldn't say anything else. What else could I say? After every point they attempted to make, I simply discredited their presumptions and theories via facts.

EBCI council member stated that there should be another meeting due to Earl Barbry's passing and that they should get a private meeting.

The Eastern Shawnee then asked why there was not a meeting in Oklahoma due to the many federal tribes that resided there. (I had no time to mention this, but the "non-

federal” brown, identifiable, language speaking Euchee of Oklahoma, would make her predominantly racially white tribe look like fools if both were in the same meeting together.) She explained that her Chief didn’t have time for such meetings down her in Louisiana and that is why she was here. I guess that meant the rest of us do have the time and money to drive from distances far to be here or that we just don’t have “important things to do.”

Larry Roberts seemed to be entertaining another meeting during the meeting, but when I spoke to him later in the hallway he told me there wouldn’t be another one. He also did not give a “no” to the EBCI request for an extension past August 16th. Larry Roberts explained they had taken a \$126 million sequestration hit.

In-between sessions

I attempted to speak to the Chitimacha tribal leader, but he told me that he didn’t like the way I approach things. Let me translate that for everyone. What he meant was “he didn’t like the fact that I have the documented facts and that I am willing to point out the direct contradictions in a public place so that people have to be accountable.” Of course he didn’t say it like that. I explained to him that dismissing facts because you don’t like someone’s approach is pretty shallow and politically expedient.

I attempted to speak to an EBCI rep and he told me that he “had nothing to say to me.” This is the typical tactic used by those who can’t back up their rhetoric.

Afternoon Session

The afternoon session saw the return of those who had been prohibited from the morning meeting. Those in attendance included the Choctaw-Apache of Ebarb, Lost Cherokees, United Cherokee Anniyvwiya Nation, Point Au Chien, Lumbee, Muscogee Nation of Florida, Eastern Band of Cherokee Indians, Coushatta, Jena Choctaw, Avoyelle (not sure of spelling), the tribe from Marksville, LA (not Tunica-Biloxi) who stayed initially at the morning meeting (I apologize for not having the name of the tribe), Cherokee Tribe of Mississippi, rep from Mashpee Wampanoag, MOWA Band of Choctaw Indians, Ma-Chis Creek, Eastern Shawnee, Point Au Chien Indian Tribe, United Houma Nation, Adai Indian Nation, Isle De Jean Charles Band of Biloxi-Chitimacha-Choctaw, Grand Caillou/Dulac Band of Biloxi-Chitimacha-Choctaw and a few other tribes were also there as well as a man who claimed an Indian ancestry, but said he was adopted out and needed to find his way home. There are others I missed. Individuals from the Oneida Nation and Creek Nation of Oklahoma were also there. There were also professors there from Centenary College, Arizona State University, and some others, as well as authors. Sorry for those I missed.

Like the morning meeting, this meeting worked out pretty much according to what I already figured. There was a mix of highly articulate on-task presenters (The Choctaw-Apache of Ebarb rep, Patty Ferguson-Bohnee (Point Au Chien Indian Tribe), Chief Framon Weaver (MOWA Band of Choctaw Indians), and a few others. Then there were

those whose presentations had little relevancy to the subject of federal recognition change. Comments such as “we took DNA tests”, “our people ended up here because we escaped the Trail of Tears”, “we had to hide our being Indian, but now we claim it” were simply not relevant to the issues at hand. These are the types of comments which tend to upset both members of federal tribes (though I have heard many of these same comments from federal tribal members of primarily white ancestry who have only recently found out about their Indian ancestry, i.e. Cherokee Nation of Oklahoma tribal members who now have blood quantum as low as 1/4,096) and historic “non-federal” tribes who have never “hid” their ancestry and who have been generationally discriminated against because of who they are. These types of comments just lend fuel to federal tribes who quickly say, “See, these are not real tribes.”

Our tribe’s presentation was handed out to everyone, so there is not need to go over it again here. The Choctaw-Apache member’s remarks about racial bias against those tribes who are perceived to have some Black ancestry were on point. The reality that he supported changes that may not even directly help his own tribe, showed the selflessness of his words and the honesty he had behind them.

Overall remarks included eliminating outside groups/tribes from fighting against petitioners, appeals process being corrupt, OFA being corrupt, the problem not being the criteria, but rather those who wrongly apply the criteria, making sure that anthropologists/historians comments hold more weight than that of a genealogist, Assistant Secretary having more weight, registered lobbyists should have no say, and more.

The federal tribal members said nothing during the entire meeting. Interestingly, they had less problem speaking in the morning session when they knew those they may be offending were not in the room, though they held back there as well due to my presence and willingness to record everything.

The worst comment of the afternoon was when one individual stated, “We want to thank you for making the process easier for us.” Clueless is the only word for this. This revised process will make it more difficult for entities which do not have true communities of intermarried, living in close proximity, culture retentive, etc. characteristics. The new process if followed justly will make it possible for actual tribal communities to be provided federal recognition, while making it impossible for possibly Indian descendant individuals who have come together more recently, to gain such recognition. There are not a ton of actual communities left in this country who have not been recognized by the federal government. This small number will make it through under these proposed revised regulations and I am sure the process will then be shut down.

There was more, but that is what I have for now. I look forward to your comments. Just make sure that you address them to me and don’t turn in to the “behind closed doors” conversation people that those federal tribal representatives attempted to be on Tuesday, August 6th. If you have an issue with any of these words, I am a reasonable person who

can change his mind if presented with facts to the contrary. This process can be an emotional experience. Keeping conversations in the open, up on the table, as opposed to in the shadows is the only way to make some sense out of it all. yakoke (thanks), Ced